

106TH CONGRESS
2D SESSION

H. R. 5631

To establish a commission to study and make recommendations with respect
to the Federal electoral process.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 14, 2000

Mr. DEFazio (for himself and Mr. LEACH) introduced the following bill;
which was referred to the Committee on House Administration

A BILL

To establish a commission to study and make recommenda-
tions with respect to the Federal electoral process.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Elections Re-
5 view Commission Act”.

6 **SEC. 2. ESTABLISHMENT OF COMMISSION; MEMBERSHIP.**

7 (a) ESTABLISHMENT.—There is established a com-
8 mission to be known as the Federal Elections Review
9 Commission (hereafter in this Act referred to as the
10 “Commission”).

1 (b) PURPOSE.—The purpose of the Commission shall
2 be to study the nature and consequences of the Federal
3 electoral process and make recommendations to ensure the
4 integrity of, and public confidence in, Federal elections.

5 (c) MEMBERSHIP.—The Commission shall be com-
6 posed of 12 members, who shall be appointed as follows:

7 (1) Three members shall be appointed by the
8 President pro tempore of the Senate based on rec-
9 ommendations by the majority leader of the Senate.

10 (2) Three members shall be appointed by the
11 President pro tempore of the Senate based on rec-
12 ommendations of the minority leader of the Senate.

13 (3) Three members shall be appointed by the
14 Speaker of the House of Representatives.

15 (4) Three members shall be appointed by the
16 minority leader of the House of Representatives.

17 (d) QUALIFICATIONS OF MEMBERS.—Members shall
18 be appointed to the Commission from among individuals
19 who—

20 (1) have expertise in Federal election laws, the
21 United States Constitution, and the history of the
22 United States, or other pertinent qualifications or
23 experience; and

24 (2) are not officers or employees of the United
25 States.

1 (e) OTHER CONSIDERATIONS.—In appointing mem-
2 bers of the Commission, every effort shall be made to en-
3 sure that the members—

4 (1) represent a broad cross section of regional
5 and political perspectives in the United States; and

6 (2) provide fresh insights to analyzing the Fed-
7 eral electoral process in order to maintain the integ-
8 rity of, and public confidence in, such process.

9 (f) PERIOD OF APPOINTMENT; VACANCIES.—(1)
10 Members of the Commission shall be appointed not later
11 than 60 days after the date of enactment of this Act. Ap-
12 pointments shall be for the life of the Commission.

13 (2) Any vacancy in the Commission shall not affect
14 the powers of the Commission, and shall be filled in the
15 same manner as the original appointment.

16 (g) INITIAL MEETING.—Not later than 30 days after
17 the date on which all members of the Commission have
18 been appointed, the Commission shall hold its first meet-
19 ing.

20 (h) CHAIRPERSON AND VICE CHAIRPERSON.—The
21 members of the Commission shall elect a chairperson and
22 vice chairperson from among the members of the Commis-
23 sion.

24 (i) ADDITIONAL MEETINGS.—The Commission shall
25 meet at the call of the chairperson.

1 (j) QUORUM.—A majority of the members of the
2 Commission shall constitute a quorum for the transaction
3 of business.

4 (k) VOTING.—A vote of a member of the Commission
5 with respect to the duties of the Commission shall have
6 the same weight as the vote of any other member of the
7 Commission.

8 **SEC. 3. DUTIES OF THE COMMISSION.**

9 (a) IN GENERAL.—The Commission shall examine
10 the nature and consequences of the Federal electoral proc-
11 ess and make recommendations to ensure the integrity of,
12 and public confidence in, Federal elections.

13 (b) SPECIFIC ISSUES TO BE ADDRESSED.—The
14 Commission shall examine and report to the President, the
15 Congress, and the Federal Election Commission on, at a
16 minimum, the following:

17 (1) The historic rationale for the electoral col-
18 lege, its impact on Presidential elections, and the ad-
19 visability of its abolition or other options for reform,
20 including the possibility of proportional allocation of
21 electors within States.

22 (2) Voter registration issues, including same-
23 day registration, universal registration, the impact of
24 motor voter registration, and the accuracy of voter
25 registration rolls.

1 (3) Ballot access issues, including the role of
2 mail-in balloting in Federal elections, and the dis-
3 tinction between mail-in and absentee balloting, and
4 the uniformity or lack thereof of the deadlines for
5 the receipt of ballots.

6 (4) The feasibility and advisability of voting
7 through the Internet.

8 (5) The impact of polling place closing times,
9 the number and accessibility of polling places, and
10 training of poll workers.

11 (6) The impact of the physical ballot design, in-
12 cluding the technology used to cast and count votes
13 and the uniformity of such technology, consideration
14 of a uniform design standard, and the impact of the
15 language used on ballots, simplicity of language, and
16 the use of foreign language ballots.

17 (7) The adequacy of options available to voters
18 and candidates to seek redress for electoral irreg-
19 ularities.

20 (8) The precedent for holding elections on a
21 Tuesday in November and the feasibility and advis-
22 ability of changing to multiple day elections, week-
23 end elections, or expanding early voting options,
24 with a particular focus on the impact on voter turn-
25 out.

1 (9) The history of Presidential debates, the role
 2 of the Federal Election Commission on Presidential
 3 debates, including the criteria established for partici-
 4 pation in such debates, and options for reform.

5 (10) The impact of winner-take-all voting, and
 6 the feasibility and advisability of election reforms
 7 such as instant runoff voting, proportional represen-
 8 tation, candidates appearing on multiple ballot lines,
 9 and cumulative voting, with a particular focus on the
 10 impact on voter turnout and expanding political dia-
 11 log.

12 (11) The feasibility and advisability of limiting
 13 campaigns, including advertising and fundraising, to
 14 a set period of time.

15 (12) The feasibility and advisability of uniform
 16 national poll closing times in Presidential elections.

17 (13) The Presidential primary process and op-
 18 tions for reform.

19 **SEC. 4. FINAL REPORT.**

20 (a) IN GENERAL.—Not later than 12 months after
 21 the date of the initial meeting of the Commission, the
 22 Commission shall submit to the President and the Con-
 23 gress a final report including—

24 (1) the findings and conclusions of the Commis-
 25 sion; and

1 (2) recommendations for addressing the prob-
2 lems identified as part of the Commission's analysis.

3 (b) SEPARATE VIEWS.—Any member of the Commis-
4 sion may submit additional findings and recommendations
5 as part of the final report.

6 **SEC. 5. POWERS.**

7 (a) HEARINGS.—The Commission may hold such
8 hearings, sit and act at such times places, take such testi-
9 mony, and receive such evidence as the Commission may
10 find advisable to fulfill the requirements of this Act. The
11 Commission shall hold at least one hearing in the District
12 of Columbia, and at least four hearings in other regions
13 of the United States.

14 (b) INFORMATION FROM FEDERAL AGENCIES.—The
15 Commission may secure directly from any Federal depart-
16 ment or agency such information as the Commission con-
17 siders necessary to carry out the provisions of this Act.
18 Upon request of the chairperson of the Commission, the
19 head of such department or agency shall furnish such in-
20 formation to the Commission.

21 (c) POSTAL SERVICES.—The Commission may use
22 the United States mails in the same manner and under
23 the same conditions as other departments and agencies of
24 the Federal Government.

1 **SEC. 6. COMMISSION PERSONNEL MATTERS.**

2 (a) COMPENSATION.—Each member of the Commis-
3 sion shall be compensated at a rate equal to the daily
4 equivalent of the annual rate of basic pay prescribed for
5 level IV of the Executive Schedule under section 5315 of
6 title 5, United States Code, for each day (including travel
7 time) during which such member is engaged in the per-
8 formance of the duties of the Commission.

9 (b) STAFF.—(1) The chairperson of the Commission
10 may appoint staff of the Commission, request the detail
11 of Federal employees, and accept temporary and intermit-
12 tent services in accordance with section 3161 of title 5,
13 United States Code.

14 (2) The employment of an executive director of the
15 Commission shall be subject to the approval of the Com-
16 mission.

17 (3) The rate of pay for the executive director and
18 other personnel of the Commission may not exceed the
19 rate payable for level V of the Executive Schedule under
20 section 5316 of such title.

21 **SEC. 7. SUPPORT SERVICES.**

22 The Administrator of General Services shall provide
23 to the Commission on a reimbursable basis such adminis-
24 trative support services as the Commission may request.

1 **SEC. 8. TERMINATION.**

2 The Commission shall terminate not later than the
3 date that is 30 days after the date the Commission sub-
4 mits its final report under section 4.

5 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

6 There are authorized to be appropriated \$2,000,000
7 for the Commission to carry out this Act.

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